

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. § 1.111, and in light of the remarks which follow, are respectfully requested.

Claim 1 has been amended to incorporate the subject matter of claims 2 and 6. Claim 1 has also been amended to further recite that “prior to coating, a coating amount of the silicone resin is from 0.4 to 45 mg/m²” and that “a thickness of the at least one hard coat layer is from 3 to 40 μm.” In addition, claim 15 has been amended to recite that “a thickness of the at least one hard coat layer is from 3 to 40 μm.” These amendments are supported by the specification, at least page 90, 1st and 2nd paragraphs; page 93, 1st full paragraph; and page 56, lines 5-14. In addition, claims 3 and 12 have been amended to further improve its form and to correct a typographical error, respectively, which do not narrow the scope of the claims. Claims 2, 6 and 9-11 have been canceled without prejudice or disclaimer. Upon entry of the Amendment, claims 1, 3-5, 7, 8 and 12-15 will be all the claims pending in the application.

I. Response to Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 1-8 and 12-14 were rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth at page 2 of the Office Action.

Applicants respectfully submit that the present claims as amended are not indefinite. Specifically, claim 1 refers to “a silicone resin” and “an actinic energy-curing resin.” The language “a coating amount of the silicone resin is from 0.4 to 45 mg/m²” clearly refers to the “silicone resin” and not the “actinic energy-curing resin” which comprises the silicone resin.

Further, Applicants have amended claim 1 to specify that “a coating amount of the silicone resin” is a value “prior to curing.”

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection.

II. Response to Rejections under 35 U.S.C. §§ 102(a) and 103(a)

- a. Claims 9-11 and 15 were rejected under 35 U.S.C. § 102(a) as being anticipated by WO 2003/100777 to Hayashida et al. ("WO '777")
- b. Claims 1, 2, 6-8 and 12-14 were rejected under § 103 (a) as being obvious over WO '777.
- c. Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being obvious over WO '777.

Applicants submit herewith a verified English translation of certified copy of Applicants' priority document, i.e., JP 2003-347111, to disqualify WO '777 as prior art against the present claims. Specifically, WO '777 was published on December 4, 2003 in the Japanese language. On the other hand, the present application claims a priority date of October 6, 2003, which is prior to the December 4, 2003 publication date of WO '777. Support for the present claims in JP 2003-347111 are summarized below:

<u>Present claims</u>	<u>JP 2003-347111</u>
1	claims 1, 2 and 6; paragraphs [0106], [0168] and [0173]
3-5, 7, 8, 12 and 13	claim 3-5, 7, 8, 10 and 11, respectively
14	paragraph [0102]
15	claims 9 and 10, paragraph [0106]

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejections.

d. Claims 1, 2, 6-12, 14 and 15 were rejected under 35 U.S.C. § 103(a) as being obvious over WO 2003/055679 to Hayashida et al. ("WO '679")

e. Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being obvious over WO '679 in view of U.S. Patent No. 6,551,710 to Chen et al.

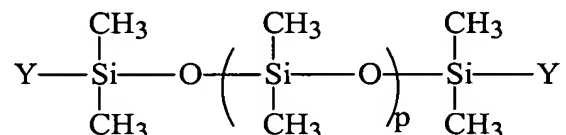
Applicants respectfully traverse the rejections for the following reasons.

Present claim 1 is directed to an article comprising a base material and at least one hard coat layer, the at least one hard coat layer comprising an outer most layer of the article,

wherein the outermost layer comprises a cured film formed by coating and curing a curing composition comprising an actinic energy-curing resin, wherein the actinic energy-curing resin comprises a silicone resin having a silicon content of from 23 to 32 weight%; and prior to coating, a coating amount of the silicone resin is from 0.4 to 45 mg/m²,

wherein the actinic energy-curing resin further comprises a first curing resin having a first molecule, the first molecule having three or more ethylenically unsaturated groups; and

wherein the silicone resin is a polydimethylsiloxane represented by formula (a):



wherein Y represents a hydrogen atom, a methyl group, a hydroxyl group or a methoxy group; p represents an integer of from 10 to 1,500; and 10 to 25% methyl groups are substituted with an alkyl group having a (meth) acrylate group, and

wherein a thickness of the at least one hard coat layer is from 3 to 40 μm.

In addition, present claim 15 is directed to an information recording media capable of reproducing an information signal by an optical means, which comprises: a substrate; a

recording layer capable of recording the information signal; and a light-transmitting layer capable of transmitting a light in this order,

wherein the light-transmitting layer is an article comprising a base material and at least one hard coat layer, the at least one hard coat layer comprising an outermost layer of the article,

the outermost layer comprises a cured film formed by coating and curing a curing composition, and

the curing composition comprises an actinic energy-curing resin comprising a silicon resin of from, 0.001 to 0.2 weight% to the total amount of the actinic energy-curing resin, wherein the silicon resin has a silicon content of from 23 to 32 weight%, and

wherein a thickness of the at least one hard coat layer is from 3 to 40 μm .

The article recited in the present claims has a hard coat excellent in anti-staining property, lubricity, scratch resistance and abrasion resistance. Applicants advise that these properties are not predictable results for one of ordinary skill in the art.

FIG. 1 of WO '679 illustrates an example of the layer structure of the article with a composite hard coat layer. In FIG. 1, a hard coat layer 2 is formed on a surface of an article 1 to be hard-coat-treated, and an anti-staining surface layer 3 is formed to contact the surface of the hard coat layer 2 (see, also, paragraph [0055]). The anti-staining surface layer has a thickness of 1 nm or more and 100 nm or less (Claim 2). It was asserted that the surface portion of this layer can be formed from a silicone compound, based on the description in paragraph [0067] (page 7, lines 14-15 of the Office Action).

WO '679 describes that the surface layer material is any material of which the cured film has anti-staining property and/or lubricating property, and exemplifies a silicone compound as the surface layer material (paragraph [0067]).

Further, WO '679 shows that it is possible to form, on the high-hardness hard coat layer 2, the anti-staining surface layer 3 which is so thin as to reflect the hardness thereof on the topmost surface and is good in water repellency and lubricity (paragraph [0082]). Moreover, WO '679 shows the thickness of the anti-staining surface layer in a very small value, such as a value of 1 nm or more and 100 nm or less (paragraph [0083]).

However, WO '679 does not describe or suggest a hard coat layer having a thickness of 3 to 40 μm , as recited in the present claims.

In addition, Chen et al. is relied upon merely as teaching polymerizable comonomers and thus does not rectify the deficiencies of WO '679.

In view of the foregoing, Applicants respectfully submit that the present claims are not obvious over WO '679, alone or in combination with Chen et al., and thus the rejections should be withdrawn.

III. Conclusion


From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (202) 452-7932 at his earliest convenience.

Respectfully submitted,

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